

# Hawaiian Gazette.

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HONOLULU, H. I., FRIDAY, OCTOBER 1902—SEMI-WEEKLY.

WHOLE No. 2422.

## COOPER WILL ACT FOR BOYD

### Secretary to Sign Public Works Vouchers.

Governor Dole yesterday designated Secretary Cooper to take charge of the Department of Public Works as agent, and Mr. Cooper immediately approved the vouchers of the department in order that salaries may be paid. The warrants will be made up by the audit department before Saturday.

The action of the Governor was taken after an Executive Council meeting at which Attorney General Dole rendered an opinion upon the legal questions involved, and upon the authority of the governor to appoint a chief clerk in the absence of Boyd.

The Attorney General holds that the Organic Act gave the governor power to appoint all officials not specially provided for by law, but that it cannot be restricted to "provided by statute." From time immemorial the Minister of Interior appointed the chief clerk, and the Civil Laws of 1897 fixed "Hawaiian National Usage" as a part of the law.

Mr. Dole says:

"Furthermore, the Superintendent of Public Works is responsible to the public, and to a greater or less extent to the Governor, for an honest and efficient discharge of most important duties. I do not see how he can be justly held to account for anything beyond his own personal acts if his subordinates are appointed by another; and however great the present exigency may be, it seems to me that constraining the words of the statute last the words 'as provided by law' to mean 'as provided by statute,' and ignoring the words of the statute last quoted 'as established by Hawaiian national usage,' would, in effect, centralize nearly all the powers of administration solely in the Governor. As a matter of sound public policy, I believe that the tendency should be in the opposite direction."

Quoting then the Organic Act which makes the governor responsible for the execution of the laws of the Territory, the opinion concludes:

"The Superintendent of Public Works is in California; the Assistant Superintendent is disabled by an accident; the chief clerk is in jail and the functions of the department have come to a standstill. I am indebted to the suggestion of Secretary Henry E. Cooper that the provisions of the Organic Act last quoted furnish a remedy for existing conditions. I greatly doubt whether you have the power to appoint an Acting Superintendent of Public Works or a chief clerk; but, pursuant to your statutory duty to enforce the laws of the Territory and prevent a collapse of the functions of one of its chief departments, it seems to me that you can appoint an agent with temporary authority to act as your representative until the Superintendent's return. I refrain from expressing an opinion that such agent will be entitled to pay from the territorial treasury or from any other source."

GOV. DOLE TO SECRETARY COOPER.

The following is the letter sent by Governor Dole to Secretary Cooper yesterday:

Honolulu, October 1st, 1902.  
Sir—Owing to the absence from the Territory of Jas. H. Boyd, Superintendent of Public Works, it is at present impossible for the faithful execution of the laws of the Territory of Hawaii, in respect to his office, and as the necessity of public business requires the appointment of some person authorized to discharge the duties of the Supt. of Public Works during his absence, I now, by virtue of the authority in me vested by law, more particularly by Sections 67 and 68 of the Organic Act, request you to assume and discharge the duties and exercise the powers of the Supt. of Public Works as my agent and personal representative during my pleasure and the absence of Mr. James H. Boyd from the Territory.

I am, sir,

Very respectfully,  
SANFORD B. DOLE,  
Gov. of the Territory of Hawaii.

Mr. Henry E. Cooper,  
Secretary of the Territory.

LETTER FROM BOYD.

From every evidence at hand James H. Boyd had no knowledge of the extent of the defection of his chief clerk, when the Ventura sailed from San Francisco, and Mrs. Boyd's health was still far from satisfactory.

Acting Chief Clerk Manuel Cooke of the Department of Public Works received a letter from Mr. Boyd, written just before the ship sailed, in which he showed that from the information at hand he thought everything in connection with the Wright case, had been squared up. Mr. Boyd said he had heard

## BANKERS BUY BONDS OF THE HILO RAILWAY COMPANY

Before leaving in the Sierra Tuesday the representatives of Rollins & Company, bankers, completed a deal whereby they showed their faith in Hawaiian securities. Beside purchases of Oiaa stock personally by each member of the company who was here, Vice President Bacheelder of the banking house bought \$125,000 of the bonds of the Hilo Railroad Company.

This is probably only the first installment of purchases of the same security, but it was of sufficient amount to show their faith in the property, and was made after the most searching investigation into the road and its surroundings. The bonds were purchased at a good price which is not given out, and will go into the hands of the customers of the house both in San Francisco and the East. The purchases were made of the B. F. Dillingham Company, as all the bonds of the road have been placed by the company.

It is understood that the investigations of the bankers will bear fruit in the near future in other investments here, and that they left with the greatest confidence in the islands and the industries.

### Lowrie Railroad.

W. J. Lowrie is general manager of a railroad known as the Ponce-Guayama line, running 45 miles through a rich section of Porto Rico. Twenty miles of trackage are now in operation for freight and the rest is building. A population of 150,000 people and a large area of sugar land will be served.

## PEARY GIVES UP THE QUEST

PORTLAND, Maine, Sept. 25.—Lieutenant R. E. Peary, the Arctic explorer, has arrived here. In an interview he said:

"On no account shall I make an effort to return to the north. I have done all that could be done with the facilities at my command and I shall now resume my duties in the Navy, reporting to the Department at Washington in a few days."

"The pole can be reached. It is a question of money and of the explorer's outfit. Could I have put my ship as far north as I could, and as I could have done had she been equal to the requirements, I could have made the pole."

"Possibly had I covered the 350 miles between where I turned back and the pole, I might have added nothing to our information as to the extreme polar conditions. We can very well conjecture conditions surrounding the pole. I am confident it is in the ocean that is, no land is there."

"Money will do it—money in the right hands. No not millions either. Two hundred thousand would do it. For this amount I could keep a party in the north ten years and follow my original plan for marching by the stages on the pole. A good ship, plenty of time and sufficient money will do it."

Peary's foot, which was frozen, is doing well and he believes he may be able to do without an operation.

### CONSUL AND MISSIONARY.

The American Representative at Tahiti Will Do Religious Work.

LOS ANGELES, Sept. 24.—The Los Angeles Presbytery today ordained as Minister of the Gospel, Wm. R. Doty, the newly appointed United States Consul to Tahiti. The situation is a unique one, both in the religious and political world, as the government usually holds that such officials cannot fill two positions at one time, but while in its employment must drop all other business, spiritual as well as temporal.

When Rev. Doty came to present his credentials to the State Department however, strenuous objections were made to the ministerial work which he had in view. The applicant had his own ideas of the amount of work which would be required there, and made such a good exhibition of the light duties of the place that Colonel J. J. McCook finally urged that he be accepted and allowed to do as he thought best in the matter. Secretary Hay took this understanding and finally reported favorably. Tomorrow Rev. Doty sails from San Francisco for his far-off island home.

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From W. H. Wright, to the effect that R. H. Wright had been found to be short in his accounts, but that R. H. Wright had promised to make everything square within two days. The letter said also that W. H. Wright had promised to write again, giving full details, but the Doric had come in without any letters, and Mr. Boyd was still in ignorance of the extent or disposition of the matter.

Mr. Boyd went on to say that the condition of Mrs. Boyd's health was not satisfactory, and that he was not immediately contemplating coming home. The tenor of the letter, according to Mr. Cooke, was entirely that of one written by a man with the belief that the affairs of the clerk had been disposed of with a degree of satisfaction, and that there were no other matters which would necessitate his early return.

Returning passengers in the Ventura say Mr. Boyd was not at the dock when the ship sailed, and that they had heard that Mrs. Boyd was still far from well.

## GOV. DOLE'S REPORT ON PORTO RICANS

### Department of Justice in Accord With the Substantial Interests of This Territory.

(Special to the Advertiser.)

WASHINGTON, D. C., Sept. 20.—The Secretary of the Interior has received from Gov. Dole a lengthy report on the conditions of Porto Ricans in the Hawaiian Islands. Complaint was filed with the Secretary some weeks ago by the Governor of Porto Rico, in behalf of these people who had gone to Hawaii to work on the sugar plantations. The matter was referred to Gov. Dole for report, as previously stated in my letters.

Secretary Hitchcock has not to date made public the contents of Gov. Dole's report but it is well understood to consist of numerous affidavits, intended to show that the complaints are on the whole unfounded. However much the situation of these Porto Ricans may be deplored, the affidavits are understood to show that there is no blame on the part of the territorial administration. The governor of Porto Rico asked that the government assist in transporting these people back home, but it is practically certain that no assistance of this kind can be rendered. The Porto Ricans must pay their own way back to their homes, just as any other citizens of this country would have to do if they wanted to make the same journey.

JUDGE DE BOLT'S APPOINTMENT.

President Roosevelt made the appointment of Judge De Bolt, which I telegraphed by a recent steamer, earlier than was expected but the appointment is regarded here as emphasizing his desire to recognize the substantial interests of the island, which have its welfare most at heart. It is not likely that Hawaii will be afflicted with more annoying appointments to the bench.

## WRIGHT'S HACKMAN TELLS HOW HE WENT TO WHARF

### A Sensational Story in Which Mrs. Wright and Attorney Magoon Figure—The Latter Denies the Tale In Toto.

On the day of his flight, Treasurer Wright took for his trip to the Inter-Island and Oceanic wharf the identical hack which was used later by his wife in her trip home for necessities, and as well by J. A. Magoon, his attorney, and told the purport of the story as told by the hackman. He said:

"There may be some elements of truth in the story. For instance it might be that Mr. Wright took the same hack that I did to reach the dock, if he went there. I did not see him at my office that morning. I did not see Mrs. Wright that morning at my office, if she called. I did go to the dock, taking a hack in front of my office, and I stayed there for some time. I was in company with several ladies and once remarked to Mrs. Banning that I was going, but stayed longer to talk with her. As to my going to Mr. Wright's house or to the dock with a valise, I did not do so. There is no truth in the story at all."

High Sheriff Brown states that he questioned Cook, the hackman, the day following Wright's flight on the Alameda, and ascertained that he had first taken Wright to the Inter-Island wharf, and later Mr. Magoon had called Cook, who was on the end of the line of hacks to the corner of Alakea and Merchant streets and that Mr. Magoon with a valise, got in and was driven to the Oceanic dock.

The High Sheriff states that he examined a man who was at the gate between the Inter-Island and Oceanic docks, where bananas were being passed through, when Wright appeared and asked to pass. The man allowed him to do so. Another witness examined by the High Sheriff said he saw Wright in the steamer, conversing with the stewardess, shortly after 11 o'clock.

for some time. The matter was gone over very thoroughly at the Department of Justice, Attorney General Knox and the President having a full understanding of the situation.

### THE PACIFIC CABLE.

The Department of Justice has no further information about the acceptance of its terms for the laying of a Pacific cable from San Francisco to Honolulu and Manila. It is expected that the cable company will either accept the terms prescribed for the laying of the cable or secure some modifications before the work is undertaken. The absence of Attorney General Knox as well as of President Roosevelt from Washington has prevented the continuance of negotiations. Mr. Knox is expected back here from Paris in a few days and President Roosevelt will return to Washington for the season in about two weeks, or by October 7. While there is no definite information about it there is a feeling that the terms will be satisfactorily arranged at an early day.

### GRAND ARMY OF THE REPUBLIC.

The preparations here are now at their height for the 36th annual encampment of the Grand Army of the Republic. The indications are that it will be the greatest gathering of that organization ever held. The railroads are offering very reasonable terms from all over the country and they estimate that there will be 300,000 visitors in the city. The parade of veterans will probably comprise 40,000 old soldiers and will be one of the most notable events since the grand parade of the armies of Grant and Sherman in

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## REPUBLICAN COMMISSION WORK ON MUNICIPAL BILLS

The Republican commission, appointed to draft bills to provide for county and city governments, got down to work yesterday in earnest. The second meeting of the five men comprising the body was held in the office of W. O. Smith, and organization was effected by the selection of Mr. Smith as chairman of the body. There was a full attendance, and in addition Joseph G. Pratt was there at the invitation of the members of the commission.

The discussion of the work before the members proceeded on general lines. The resolution under which they were named provides that there shall be one bill for the creation of counties and another under which such cities or towns as by vote shall signify their desire to erect municipalities shall have the right so to do. It was the opinion of the members that there should be the most simple forms used and that the bills primarily should be drawn in skeleton form, so that there might be added in the various provisions which will insure measures fitted to local conditions.

Mr. Pratt was then secured by the commission to draft the two measures and he will get at the work immediately. He will be guided by the recent Wyoming legislation based on that of New York, and the program of the National Municipal League. In every sense the bills will be made as simple as possible, so that they will form an organic law upon which will be based the full and complete structure of local governments. The commission will meet next when Mr. Pratt has completed his draft of the county bill for the consideration of the committee.

## ROOSEVELT FORCED TO ABANDON TRIP

MINNEAPOLIS, Sept. 21.—President Roosevelt was compelled this afternoon to abandon his tour through the Northwest and submit to a hurried operation for a rapidly forming abscess in his left leg, the result of the recent trolley accident at Pittsfield, Mass. He is now being hurried to Washington on his special train. In the Pittsfield accident the President received an injury to his leg, of which he said nothing at the time and which he has carefully concealed from the public, fearing undue alarm on the part of his friends and unrest on the stock exchange.

For days the President has been suffering great pain, but he has continued to make speeches and to follow out the program of his tour. He showed his calmness and nerve today in sacrificing himself to save the stock market and the Wall Street operators, that their securities might not be involved in a disastrous financial crash. All day the President, against the advice of his physicians, insisted on continuing with the day's speech-making. Every movement was agony, but he made six speeches and remained on his feet for three hours and a half to keep the news of his illness from becoming generally known until after the close of the New York Stock Exchange. He had intended to keep up the struggle until 4 p. m., but at 2:35 p. m. his suffering became so severe that Dr. George A. Lund, who is attending him, insisted on an immediate operation. When he was assured that the stock market had been closed for fifteen minutes he submitted to the will of his physician.

"Was the operation delayed by the President with the intention of preventing a crash in the stock market?" Secretary Cortelyou was asked this evening.

"Yes, he did it deliberately," said Mr. Cortelyou. "We waited until the markets closed. It was all done with a purpose."

## SEN. MITCHELL'S DAUGHTER ILL

PARIS, Sept. 21.—The Duchess of Rochefoucauld, who is a daughter of United States Senator John H. Mitchell of Oregon, was successfully operated on yesterday for appendicitis. Her condition today is satisfactory.

The Duchess of Rochefoucauld was married to Francis Alfred Gaston de Rochefoucauld, Duke of Rochefoucauld, on February 11, 1895. She was known as "the beautiful Mattie Mitchell" and is a woman of rare intellect as well as beauty.

During her residence in Paris as a leader of the Faubourg Saint Germain she enjoyed a peculiar prominence, she has done some literary work and is always prominent in charitable affairs.

### Cable for Us in Eighty Days.

SAN FRANCISCO, September 20.—"Within eighty days messages will pass over the Pacific cable between San Francisco and Honolulu."

This positive statement was made yesterday by Richard V. Day, the local representative of Clarence H. Mackay, son of the late John W. Mackay.

### Rough Weather at Kaula Ports.

The steamer Waiakale, which arrived from Kaula ports yesterday morning, reports rough weather in the Kaula Island ports. She had smooth seas in crossing the channel.

## WILCOX AS THE TALKER NOT WORKER

### Republicans Give Paoua Voters Facts.

Republicanism, competent to fulfil its promises and ready to give the people what they need, was the theme of every speaker who addressed a body of citizens, numbering in the hundreds last evening in Paoua valley. It was, despite the rainstorm, a gathering of the voters and their families which met the delegates of the third precinct at a luau at Mana's residence, and after a feast the guests were treated to some of the very finest oratory.

The luau was down for the early evening and invitations had been sent to every one of the voters who supported the Republican candidates for the Territorial and district conventions. The meeting was arranged so that these representatives of the people might meet their constituents and present to them the men that had been selected and thus make a report upon their work during the various preliminary stages of the campaign. There was hardly a voter who was absent and the enthusiasm with which the speakers were greeted and the feeling aroused when the orators breathed the purest Republicanism, showed that the hearts of the people were right.

At great tables spread under the pavilion were assembled the more than four hundred guests of the evening. And before them were spread all the delicacies of the season and right heartily did they enjoy the feast. The rains without simply added to the comfort of those who had come, though there were scores who could not secure seats at the tables and they formed a human fringe about the boards, and added to the picturesque of the scene. They left cooked fish and flesh, with all the accessories of the luau, were placed before the guests and they did ample and complimentary justice to all. It was when the eating was over that Robert N. Boyd gave the signal for the feast of reason.

Mr. Boyd said that the delegates to the conventions had asked the people to meet them and see and hear the candidates who had been selected to represent the Republican party. He spoke in feeling words of the absent Prince who heads the ticket, and asked that every one of the many present support his candidacy, setting forth the work of the Prince for the uplifting of Hawaiians, and telling how he was journeying about the islands that his people might see what he aimed to accomplish for their good. He then took up the candidates and named each of them, and called the attention of the people to what they had done in the past and why they should be trusted in the future to do for their good.

Paul Ienberg was the first candidate called out to address the people, and he was given a hearty reception. He spoke of the fact that in introducing him Mr. Boyd had said that he was the son of one who had stood by the Hawaiian people as against annexation. He said that this was the fact, but that his father seeing that the American flag had come to stay was now one of the strongest in favor of the development of the country into a strong American State, and this could best be done by the upbuilding of the Territory. He said that the Republican party had been put before the people as the one which would take from them the franchise which they now possessed. He said that the Republican party was one that believed in the rights of men, and that never had it taken from a man the right which he had been given but rather gave him greater freedom of action. He referred to the action of the last legislature of which he was a member, that of 1898, and showed that it had stood always for the rights of the people, looking after their food and their well being, and said that if the Republicans were given a chance they would show that they were anxious to do the same this time.

L. L. McCandless was the next speaker, and the candidate for the Senate began by asking that the people vote for the delegate of the party, as he was of the people and would represent them with fidelity. He showed that the Board of Health against which there had been criticism in the past was not one named by the Republicans but one defeated by the Home Rulers, and said that any criticism should be laid at the door of the Home Rulers. He drew attention to the fact that the necessity of the hour was to get close to the President and the majority party in Congress, so that there might be reasonably expected some support from the ruling power. He said in closing that there would be joy not only among the people of the Islands if the Republican party won, but also that the majority of the 50,000,000 people of the United States of which the islands were a part, would be glad that

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